

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

LABORERS PENSION TRUST FUND-
DETROIT AND VICINITY, LABORERS
VACATION AND HOLIDAY TRUST
FUND-DETROIT AND VICINITY,
LABORERS METROPOLITAN
DETROIT HEALTH AND WELFARE
FUND and MICHIGAN LABORERS
TRAINING FUND,

Plaintiffs,

v

E and R MASONARY CONSTRUCTION
INCORPORATED, BRICK MASONRY,
INCORPORATED, BMC MASONRY,
INCORPORATED, ROBERTO SANCHEZ,
EFRAIN SANCHEZ, ULICES SANCHEZ
and ELENA SANCHEZ,

Defendants.

Case No. 2:16-cv-12583
Hon. Robert H. Cleland
Magistrate Judge David R. Grand

**ORDER FOR EXAMINATION OF JUDGMENT DEBTOR
AND RESTRAINING TRANSFER OF PROPERTY
OUTSIDE OF THE ORDINARY COURSE OF BUSINESS**

Roberto A. Sanchez

THIS MATTER having come before this Court on Plaintiffs' Ex-Parte Motion for Examination of Judgment Debtor and Restraining Transfer of Property Outside of the Ordinary Course of Business, and said motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and being fully advised in the premises;

NOW THEREFORE;

IT IS HEREBY ORDERED that Roberto A. Sanchez, for and on behalf of Defendant E and R Masonary Construction, Incorporated, whose address is 15972 Merriman Rd., Romulus, Michigan 48174, appear at the law offices of Erman, Teicher, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034 on **Tuesday, January 30, 2018 at 10:00 a.m.**, to be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against Defendant E and R Masonary Construction, Incorporated on November 17, 2017.

IT IS FURTHER ORDERED that said person shall bring with him the following books, records, and papers in his possession, custody or control as they relate to Defendant E and R Masonary Construction, Incorporated:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which Defendant has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by or on behalf of Defendant with the Internal Revenue Service, State of Michigan, and any municipal

governments, relating to any income received, property owned, business activities, sale or intangibles tax, of Defendant at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

3. All books of account and accounts receivable ledgers;

4. List of assets and liabilities;

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by, or on behalf of, Defendant at any and all times during the five (5) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier; and

6. Copies of all profit and loss statements and balance sheets relating to the affairs of Defendant prepared by, or on behalf of, said Defendant at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier.

IT IS FURTHER ORDERED that said Defendant, E and R Masonary Construction, Incorporated, and any officers, directors, employees and agents, and any third party who is served with a true and entered copy of this Order, are restrained from transferring or disposing of any property of Defendant, whether now owned, or hereafter acquired by, or becoming due to Defendant, except property required for

ordinary course of business operations, including disbursements for payroll, taxes, trade vendors, accounts payable and the like, for a period of two years from the date hereof. This order does not apply to property exempt by law from application to the satisfaction of the judgment.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 11, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, January 11, 2018, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522